

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

Clerk's Minutes
Before the Honorable James O. Browning

CASE NO. CIV 23-908 JB/JFR

DATE: 4/23/2025

TITLE: Dolan, et al. v. Federal Emergency Management Agency, et al.

COURTROOM CLERK: C. Padilla

COURT REPORTER: J. Bean

COURT IN SESSION: 1:36 PM / 3:01 PM
3:19 PM/ 4:01 PM

TOTAL TIME: 2:07

TYPE OF PROCEEDING: MOTION HEARING

COURT RULING/DISPOSITION:

1. RESPONDENTS' MOTION TO ALTER OR AMEND JUDGMENT [62]

ATTORNEYS PRESENT FOR PLAINTIFF(S): **ATTORNEYS PRESENT FOR DEFENDANT(S):**

Nicholas Sydow

Brian Colon and Benjamin Siminou

PROCEEDINGS:

COURT IN SESSION: 1:36 PM

COURT: CALLS CASE, COUNSEL ENTER APPEARANCES. ADDRESSES MOTION TO RECONSIDER.

MR. SYDOW: ARGUES IN SUPPORT OF MOTION.

COURT: IT MAY FEEL LIKE THOSE ARE FINDINGS OF FACT.

MS .SIMINOU: NOTHING COMES TO MIND THAT WOULD DISAGREE WITH YOUR OPINION.

COURT: DID YOU THINK I WAS MAKING FINDINGS OF FACT?

MR. SIMINOU: NO, YOUR HONOR.

COURT: HOW DID YOU READ THE PHRASES?

MR. SIMINOU: RESPONDS.

COURT: WHAT DO YOU THINK ABOUT MR. SYDOWS ARGUMENT?

MR. SIMINOU: RESPONDS.

MR. SYDOW; ARGUES IN CONCLUSION.

COURT: DO YOU WANT TO GO ON THE THIRD ISSUE?

MR. SYDOW: RESPONDS.

RECESS: 3:01 PM

COURT IN SESSION: 3:19 PM

Mr. SIMINOU: CONTINUES WITH ARGUMENT .

COURT: I CHOPPED EVERYBODY’S ARGUMENT UP. DO YOU WANT TO SAY ANYTHING ELSE?

Mr. SYDOW: RESPONDS.

COURT: LET ME RETURN TO THE STATUTE YOU’VE BEEN TALKING ABOUT.

Mr. SYDOW: RESPONDS.

COURT: IS THERE ANYTHING ELSE YOU WANT TO SAY ABOUT YOUR MOTION?

MR. SYDOW: RESPONDS.

MR. SIMINOU: RESPONDS.

COURT: NOT INCLINED TO CHANGE MY MIND ON THAT PORTION. AS FAR AS THE TRESPASS

NUISANCE I’LL HAVE TO LOOK AT IT. I STILL WANT TO THINK A LITTLE ABOUT. I THINK THE GUTS OF

THE OPINION WILL REMAIN.

NOTHING FURTHER.

COURT IN RECESS: 4:01 PM